

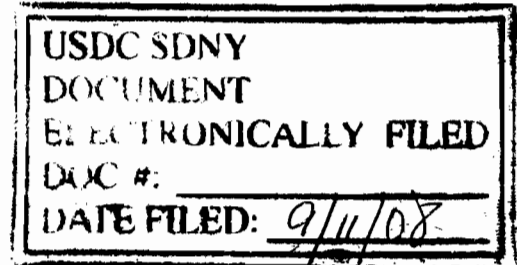
PALMER

Attorneys at Law

PHILADELPHIA | NEW JERSEY | NEW YORK | DELAWARE | MARYLAND

Michael B. McCauley
Palmer
mccauley@pbh.com
Direct Dial: 215 625 7804

September 10, 2008



The Hon. Theodore H. Katz
United States Magistrate Judge
United States District Court
For the Southern District of New York
500 Pearl Street, Room 1030
New York, NY 10007

Via Facsimile 212 805 7932

Re: Eric Grove v. Bean Dredging, LLC, *et al.*
07-cv-8650 (JGK) (THK)
Our File No.: 0850-004

Dear Judge Katz:

A settlement conference is scheduled for September 15, 2008 at 2:00 p.m.

We write on behalf of all parties who jointly request that the conference be rescheduled for a later date.

Discovery has gone slowly due to third parties being added to the litigation and scheduling conflicts for the taking of depositions, including that of plaintiff who is a resident of Nevada. In these circumstances, counsel have not had an opportunity to establish an adequate evidentiary baseline on which to proceed with meaningful settlement discussions as required by Your Honor's correspondence providing notice of the conference.

The parties also jointly request that the October 31, 2008 deadline for completion of discovery be extended for a period of ninety days.

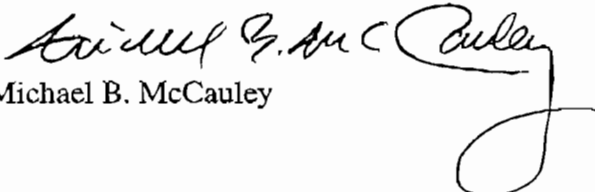
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United States Magistrate Judge
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All counsel join in thanking Your Honor for your consideration of this request.

Respectfully,

PALMER BIEZUP & HENDERSON LLP

By:


Michael B. McCauley

MMc:lr

cc: Samuel J. Rosenthal, Esq.
Michael H. Zhu, Esq.
Michael J. Lenoff, Esq.
Craig S. English, Esq.

Via Facsimile

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*The discovery deadline is
extended to January 30, 2009.
By no later than November 14, 2008,
the parties should confer and propose
alternative dates for the settlement conference.*

SO ORDERED

9/11/08


THEODORE H. KATZ

UNITED STATES MAGISTRATE JUDGE